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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	:	
	:	Chapter 11
PURDUE PHARMA L.P., <i>et al.</i> ,	:	
	:	Case No. 19-23649 (RDD)
<u>Debtors¹</u>	:	(Jointly Administered)

**MOTION FOR LEAVE TO FILE BRIEF OF BANKRUPTCY PROFESSORS
AS *AMICI CURIAE* IN OPPOSITION TO THE PROPOSED SETTLEMENT
BETWEEN THE UNITED STATES AND THE DEBTORS**

¹ The debtors in these cases, along with the last four digits of each debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). Collectively, these debtors are referred to as the "Debtors."

The professors of bankruptcy law whose names and affiliations are set forth in Appendix A to the proposed brief, which is enclosed as Exhibit 1 (the “**Bankruptcy Professors**”), respectfully request leave to file the brief as *amici curiae* in opposition to the proposed settlement between the United States and the Debtors. Counsel for the Debtors and counsel for the United States have each represented to *amici*’s counsel that they take no position on the request to file an *amicus* brief.

As grounds for leave, *amici* state as follows:

INTEREST OF *AMICI CURIAE*

The Bankruptcy Professors are law professors at nine law schools throughout the United States, where they teach courses in bankruptcy and financial restructuring. They have collectively authored numerous treatises, textbooks, and articles on bankruptcy law. They have also all been active in bankruptcy policy reform efforts, and are interested in the maintenance of bankruptcy law as an effective public policy tool for addressing mass torts.

The Bankruptcy Professors seek to file their brief as *amici curiae* because they are concerned that the proposed settlements misuse the bankruptcy system to abet and ultimately exculpate non-debtors credibly accused of materially contributing to one of the nation’s deadliest public health crises.²

DESIRABILITY OF *AMICUS CURIAE* BRIEF

Unlike all the parties, the Bankruptcy Professors have no financial stake in

² Centers for Disease Control, *Opioid Overdose: Understanding the Epidemic*, at <https://www.cdc.gov/drugoverdose/epidemic/index.html> (nearly 450,000 opioid overdose deaths from 1999-2018).

the Debtors' cases. Instead, they are *amici curiae* whose interest is limited to the appropriate administration of the bankruptcy process from a public policy perspective. They believe that their impartial expertise will be of assistance to the Court in evaluating the proposed settlement.

No one other than *amici* or their counsel has funded the preparation and submission of the *amicus* brief and this motion.

WHEREFORE, the Bankruptcy Professors respectfully request leave to file the *amicus curiae* brief appended as Exhibit 1.

Dated: November 10, 2020

Respectfully submitted,

/s/ Daniel R. Walfish
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